



IFW

**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

In re Patent Application of

KAGAWA et al

Atty. Ref.: 380-41; Confirmation No. 9078

Appl. No. 10/667,483

TC/A.U. 1625

Filed: September 23, 2003

Examiner: Perlinger

For: OPTICALLY ACTIVE EPOXY COMPOUNDS AND PROCESSES FOR THEIR  
PRODUCTION

\* \* \* \* \*

December 20, 2005

Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

Sir:

**RESPONSE**

Responsive to the Official Action of December 6, 2005 and the requirement for restriction presented in it, applicant elects the subject matter of claims 9-11, Group II, directed to product claims. This response is made with traverse to the extent the non-elected claims of Group III, that is claims 12-14 and 26-30 directed to the process may be rejoined once the product claims are found to be allowable.

Please examine the elected claims on the merits taking into account the documents cited in the Information Disclosure Statements filed January 6 and March 31, 2004.

In reply to the examiner's comments concerning the cited Watanabe et al J. Org. Chem. article, applicants note Watanabe discloses a cis-form optically active epoxide, but does not disclose a trans-form optically active epoxide as claimed in the present application. One skilled in this art would not think to produce a trans-form optically active enone from a trans-enone (as claimed in the present application) on the basis of the cited reference disclosing preparing a cis-form optically active epoxide from a cis-form enone.

KAGAWA et al  
Appl. No. 10/667,483  
December 20, 2005

Respectfully submitted,

**NIXON & VANDERHYE P.C.**

By: \_\_\_\_\_



Arthur R. Crawford  
Reg. No. 25,327

ARC:eaw  
901 North Glebe Road, 11th Floor  
Arlington, VA 22203-1808  
Telephone: (703) 816-4000  
Facsimile: (703) 816-4100